

22764 U.S. PTO
111403

Practitioner's Docket No. 14981

PATENT

31281 U.S. PTO
10/713348

111403

Preliminary Classification:

Proposed Class:

Subclass:

NOTE: "All applicants are requested to include a preliminary classification on newly filed patent applications. The preliminary classification, preferably class and subclass designations, should be identified in the upper right-hand corner of the letter of transmittal accompanying the application papers, for example 'Proposed Class 2, subclass 129.'" M.P.E.P. § 601, 7th ed.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**MAIL STOP NEW APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of Inventor(s):

CHRISTOPHER L. CAGAN

WARNING: 37 C.F.R. § 1.41(a)(1) points out:

"(a) A patent is applied for in the name or names of the actual inventor or inventors.

"(1) The inventorship of a nonprovisional application is that inventorship set forth in the oath or declaration as prescribed by § 1.63, except as provided for in § 1.53(d)(4) and § 1.63(d). If an oath or declaration as prescribed by § 1.63 is not filed during the pendency of a nonprovisional application, the inventorship is that inventorship set forth in the application papers filed pursuant to § 1.53(b), unless a petition under this paragraph accompanied by the fee set forth in § 1.17(i) is filed supplying or changing the name or names of the inventor or inventors."

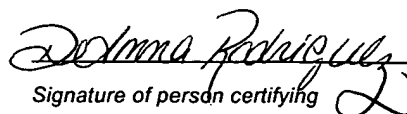
For (title): **FIRST AMERICAN REAL ESTATE SOLUTIONS**

EXPRESS MAILING UNDER 37 C.F.R. § 1.10• (Express Mail label number is mandatory.) (Express Mail certification is optional.)

I hereby certify that this paper, along with any document referred to, is being deposited with the United States Postal Service on this date November 14, 2003, in an envelope addressed to the Mail Stop New Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 as "Express Mail Post Office to Addressee" Mailing Label No. EV 147809473 US

DeAnna Rodriguez

(type or print name of person mailing paper)


Signature of person certifying

1. Type of Application

This new application is for a(n)

| | |
|--|----------------------------|
| <input checked="checked" type="checkbox"/> | Original (non provisional) |
| <input type="checkbox"/> | Design Plant |

NOTE: If one of the following 3 items apply, then complete and attach ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF A PRIOR U.S. APPLICATION CLAIMED and a NOTIFICATION IN PARENT APPLICATION OF THE FILING OF THIS CONTINUATION APPLICATION.

| | |
|--------------------------|-------------------------------|
| <input type="checkbox"/> | Divisional. |
| <input type="checkbox"/> | Continuation. |
| <input type="checkbox"/> | Continuation-in-part (C-I-P). |

2. Benefit of Prior U.S. Application(s) (35 U.S.C. §§ 119(e), 120, or 121)

| | |
|--------------------------|---|
| <input type="checkbox"/> | The new application being transmitted claims the benefit of prior U.S. application(s). Enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED. |
|--------------------------|---|

3. Papers Enclosed

A. Required for filing date under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 1.153 (Design) Application

19 Pages of specification
4 Pages of claims
5 Sheets of drawing

| | |
|--|----------|
| <input checked="checked" type="checkbox"/> | formal |
| <input type="checkbox"/> | informal |

B. Other Papers Enclosed

| | |
|----------|--|
| <u>3</u> | Pages of declaration and power of attorney |
| <u>1</u> | Pages of abstract |
| <u>0</u> | Other |

4. Additional papers enclosed

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Information Disclosure Statement (37 C.F.R. § 1.98) Form PTO-1449 (PTO/SB/08A and 088)

Special Comments

Other

5. Declaration or oath (including power of attorney)

☒

Enclosed

Executed by (check all applicable boxes)

☒

inventor(s).

☐

legal representative of inventor(s). 37 C.F.R. §§ 1.42 or 1.43.

6. Inventorship Statement

WARNING: If the named inventors are each not the inventors of all the claims an explanation, including the ownership of the various claims at the time the last claimed invention was made, should be submitted.

The inventorship for all the claims in this application are: ☒ The same. or ☐ Not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made, is submitted. ☐ will be submitted.

7. Language

NOTE: An application including a signed oath or declaration may be filed in a language other than English. An English translation of the non-English language application and the processing fee of \$130.00 required by 37 C.F.R. § 1.17(k) is required to be filed with the application, or within such time as may be set by the Office. 37 C.F.R. § 1.52(d).

☒

English Non-English The attached translation includes a statement that the translation is accurate. 37 C.F.R. § 1.52(d).

8. Assignment

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An assignment of the invention to First American Real Estate Solutions, L.P. is attached. A separate "Cover sheet for Assignment (Document) Accompanying New Patent Application" or EI Form PTO 1595 is also attached.

9. Certified Copy

No priority claimed. This application is not a continuation, or divisional application.

10. Fee Calculation (37 C.F.R. § 1.16) A.☒ Regular applicationCLAIMS AS FILED

| Number filed | Number Extra | Rate | Basic Fee |
|-------------------------------|--------------|------------|--|
| | | | 37 C.F.R. § 1.16(a) <u>\$770.00</u> |
| Total Claims (37 C.F.R. | | | |
| § 1.16(c)) | 22- 20 = 2 | x \$18.00 | 36.00 |
| Independent Claims (37 C.F.R. | | | |
| § 1.16(b)) | 2- 3 = | x \$ 84.00 | 0.00 |
| Multiple dependent claim(s), | | | |
| if any (37 C.F.R. § 1.16(d)) | | | |
| | + | \$280.00 | 0.00 |

Amendment cancelling extra claims is enclosed.
Amendment deleting multiple-dependencies is enclosed.
Fee for extra claims is not being paid at this time.

NOTE: If the fees for extra claims are not paid on filing they must be paid or the claims cancelled by amendment, prior to the expiration of the time period set for response by the Patent and Trademark Office in any notice of fee deficiency. 37 C.F.P. § 1.16(d).

Filing Fee Calculation \$ _____

B. Design application (\$330.00-37 C.F.R. § 1.16(f)) Filing Fee Calculation \$ _____

C. Plant application (\$510.00-37 C.F.R. § 1.16(8)) Filing fee calculation \$ 770.00

11. Assertion of Small Entity Status

Applicant does not claim small entity under 37 C.F.R. § 1.27

12. Request for International-Type Search (37 C.F.R. §1.104(d)).

Not Applicable.

13. Fee Payment Being Made at This Time Not

Enclosed

No filing fee is to be paid at this time.

(This *and* the surcharge required by 37 C.F.R. § 1.16(e) can be paid subsequently.)

☒ Enclosed

☒ Filing fee \$ 806.00

☒ Recording assignment
(\$40.00; 37 C.F.R. § 1.21(h))

(See attached "COVER SHEET FOR
ASSIGNMENT ACCOMPANYING NEW
APPLICATION".)

\$ 40.00

Petition fee for filing by other than all the
inventors or person on behalf of the inventor
where inventor refused to sign or cannot be
reached

(\$130.00; 37 C.F.R. §§ 1.47 and 1.17(ii))

\$ _____

For processing an application with a
specification in

a non-English language

(\$130.00; 37 C.F.R. §§ 1.52(d) and 1.17(k))

\$ _____

Processing and retention fee

(\$130.00; 37 C.F.R. §§ 1.53(d) and 1.21(o))

\$ _____

Fee for international-type search report
(\$40.00; 37 C.F.R. § 1.21(e))

\$ _____

Total fees enclosed \$ 846.00

14. Method of Payment of Fees

☒ Attached is a: ☒ check in the amount of \$ 846.00 is enclosed herein.

☒ Authorization is hereby made to charge any additional fees required by this paper or credit
any overpayment to the Deposit Account No.: 01-2224

15. Authorization to Charge Additional Fees

WARNING: If no fees are to be paid on filing, the following items should not be completed.

WARNING: Accurately count claims, especially multiple dependent claims, to avoid unexpected high charges, if extra claim charges are authorized.

☒ The Office is hereby authorized to charge, in the manner shown above, the following additional fees that may be required by this paper and during the entire pendency of this application.

☒ 37 C.F.R. § 1.16(a), (f) or (g) (filing fees)

☒ 37 C.F.R. § 1.16(b), (c) and (d) (presentation of extra claims)

NOTE: Because additional fees for excess or multiple dependent claims not paid on filing or on later presentation must only be paid or these claims cancelled by amendment prior to the expiration of the time period set for response by the PTO in any notice of fee deficiency (37 C.F.P. § 1.16(d)), it might be best not to authorize the PTO to charge additional claim fees, except possibly when dealing with amendments after final action.

☒ 37 C.F.R. § 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

☒ 37 C.F.R. § 1.17(a)(1H5) (extension fees pursuant to § 1.136(a)).

☒ 37 C.F.R. § 1.17 (application processing fees)

NOTE: ". . . A written request may be submitted in an application that is an authorization to treat any concurrent or future reply, requiring a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. An authorization to charge all required fees, fees under § 1.17, or all required extension of time fees will be treated as a constructive petition for an extension of time in any concurrent or future reply requiring a petition for an extension of time under this paragraph for its timely submission. Submission of the fee set forth in § 1.17(a) will also be treated as a constructive petition for an extension of time in any concurrent reply requiring a petition for an extension of time under this paragraph for its timely submission." 37 C.F.P. § 1.136(a)(3).

☒ 37 C.F.R. § 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. § 1.311(b))

NOTE: Where an authorization to charge the issue fee to a deposit account has been filed before the mailing of a Notice of Allowance, the issue fee will be automatically charged to the deposit account at the time of mailing the notice of allowance. 37 C.F.R. § 1.311(b).

NOTE: 37 C.F.R. § 1.28(b) requires "Notification of any change in status resulting in loss of entitlement to small entity status must be filed in the application . . . prior to paying, or at the time of paying, . . . the issue fee. . . ." From the wording of 37 C.F.R. § 1.28(b), (a) notification of change of status must be made even if the fee is paid as "other than a small entity" and (b) no notification is required if the change is to another small entity.

16. Instructions as to Overpayment

NOTE: ". . . Amounts of twenty-five dollars or less will not be returned unless specifically requested within a reasonable time, nor will the payer be notified of such amounts: amounts over twenty-five dollars may be returned by check or, if requested, by credit to a deposit account." 37 C.F.R. § 1.26(a).

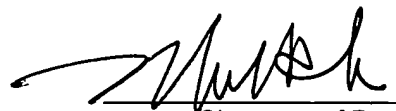
☒ Credit Account No. 01-2224

☒ Refund

Reg. No. 24,108

Tel. No.: (310) 557-1511, extension 3015

Customer No.: 01-2224



Signature of Practitioner

MARSHALL A. LERNER

(type or print name of attorney)

Kleinberg & Lerner, LLP
2049 Century Park East, Suite 1080
Los Angeles, CA 90067

Incorporation by reference of added pages

(check the following item if the application in this transmittal claims the benefit of prior U.S. application(s) (including an international application entering the U.S. stage as a continuation, divisional or C-1-P application) and complete and attach the ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED)

☐

Plus Added Pages for New Application Transmittal Where Benefit of Prior U.S. Application(s) Claimed

Number of pages added

☐

Plus Added Pages for Papers Referred to in Item 4 Above

Number of pages added

☐

Plus added pages deleting names of inventor(s) named in prior application(s) who is/are no longer inventor(s) of the subject matter claimed in this application. Number of pages added

☐

Plus "Assignment Cover Letter Accompanying New Application"

Number of pages added

Statement Where No Further Pages Added

*(if no **further pages form a part** of this Transmittal, then end this Transmittal with this page and check the following item)*

☒

This transmittal ends with this page.